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**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

IN RE:

THE RHODES COMPANIES, LLC,
 Aka "Rhodes Homes", et al.,

Reorganized Debtors.¹

Affects:

- ☒ All Debtors
☐ The following Debtor(s)

Case No. BK-09-14814-LBR
 (Jointly Administered)

Chapter 11

**OMNIBUS MOTION FOR ORDER
 REQUIRING PRODUCTION OF ONE OR
 MORE CORPORATE REPRESENTATIVES
 FOR EXAMINATION IN ACCORDANCE
 WITH FEDERAL RULE OF BANKRUPTCY
 PROCEDURE 2004**

[No hearing required]

In accordance with Federal Rule of Bankruptcy Procedure 2004, the Litigation Trust of
 The Rhodes Companies, LLC, et al. (the "Litigation Trust" or "Movant") hereby moves this
 Court for an order requiring that the following financial institutions:

Dorfinco Corporation
 GMAC Residential Construction
 Bank of the West

¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (90206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Ralty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Clubb, LLC (7132); Pinnacle Grading, LLC (4838).

1 Citibank Texas, N.A.
2 RBC Builder Finance
3 Landamerica Account Servicing, Inc. (AZ)
4 U.S. Loan Servicing

5 (the “Financial Institutions”) produce one or more corporate representatives for examination on a
6 business day no earlier than fourteen (14) business days after the entry of an order granting this
7 Motion, or at such other mutually agreeable location, date, and time, and continuing from day to
8 day thereafter until completed.

9 This Motion is further explained in the following Memorandum.

10 **Memorandum**

11 The Litigation Trust seeks information concerning the Reorganized Debtors and their
12 pre-bankruptcy acts, conduct, property, liabilities and financial condition. Specifically, the
13 Litigation Trust seeks information concerning banking and financial services provided by each of
14 the Financial Institutions to the Reorganized Debtors. The Litigation Trust seeks this
15 information from the Financial Institutions to assist in the collection of the assets and the
16 investigation of the liabilities of the Reorganized Debtors.

17 The requested discovery from the Financial Institutions is within the scope of
18 examination permitted under Rule 2004, which includes:

19 [t]he acts, conduct, or property or . . . the liabilities and financial condition of the
20 debtor, or . . . any matter which may affect the administration of the debtor’s
21 estate, or to the debtor’s right to a discharge. In a . . . reorganization case under
22 chapter 11 of the Code, . . . the examination may also relate to the operation of
23 any business and the desirability of its continuance, the source of any money or
24 property acquired or to be acquired by the debtor for purposes of consummating a
25 plan and the consideration given or offered therefore, and any other matter
26 relevant to the case or to the formulation of a plan.²

² FED.R. BANKR. P. 2004(b).

Conclusion

Accordingly, the Litigation Trust requests that this Court enter the form of order submitted with this Motion.

Dated: December 16, 2011.

DIAMOND MCCARTHY LLP

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*Local Counsel for the Litigation Trust of
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CERTIFICATE OF SERVICE

I hereby certify that I am employee of the law firm of DIAMOND MCCARTHY LLP, and that on the 16th day of December 2011, a true and correct copy of the foregoing **OMNIBUS MOTION FOR ORDER REQUIRING PRODUCTION OF ONE OR MORE CORPORATE REPRESENTATIVES FOR EXAMINATION PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004** was served by the Court's CM/ECF system to:

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